# R E M A R K S

Claim 28 was rejected under 35 USC 103 as being unpatentable over a Shahraray et al article titled "automatic Generation of Pictorial Transcripts of Video Programs" (hereinafter, REF 1) in view of Sprague, US Patent 5,699,458 (hereinafter, REF 2). Applicants respectfully traverse.

The Examiner cited lines 11-14 of col. 1 in REF 2, which teaches that the World Wide Web allows hypertext linking of multimedia documents. Applicants agree that a hypertext document having an embedded hypertext link to another document is known in the art. That does not mean, however, that **all** documents have such embedded links. Stated differently, the cited passage teaches that the capability to have a hypertext document with embedded hypertext links is exists, but it says nothing whatsoever whether any particular document or any particular circumstance requires, or points to, use of this capability.

The Examiner also cited the passage at lines 43-46 of col. 10 for its teaching that a thumbnail video sequence may be transmitted. This, however, again does not teach or suggest that the video sequence has any kind of embedded hypertext links. Indeed, there is no need for links when a video sequence is displayed and therefore, if anything, the implication is that a video sequence does NOT have included hypertext links.

The Examiner also cited the passages at lines 10-13 of col. 9, and at lines 30-35 of col. 8, which teach that the user can ask for a full-quality version of the video sequence; but here too there is no teaching or suggestion of included hypertext links, and none are required to accomplish that which the cited passages address.

The Examiner is correct that a hypertext link might be used to request the full resolution version of the video, but such a hypertext link would most conveniently appear as a command button on a web page the precedes the video sequence, and not be included in the video sequence itself. There is certainly no teaching or suggestion that such a hyperlink text would be embedded in the thumbnail video sequence.

Claim 28, in contradistinction, specifies transforming "said electronic data representation into a hypertext format that includes hypertext link, to form a hypertext pictorial transcript." Since, as demonstrated above, the reference does not teach or

suggest <u>included</u> hypertext links, it is respectfully submitted that the combination of REF 1 REF 2 does not make claim 28 obvious.

Claims 1-10, 16, and 18-27 were rejected under 35 USC 103 as being unpatentable over REF 1 in view Sotomayor, US Patent 5,708,825 (hereinafter, REF 3). Applicants respectfully traverse.

The Examiner admitted that REF 1 does not disclose a selectable page layout, but asserts that REF 3 teaching this feature in the summary pages that REF 3 discloses. Applicants respectfully traverse.

The limitation of a selectable page layout is not found in amended claim 1 so the argument the Examiner's rejection is moot relative to claim 1. However, for the record and because this limitation is found in claim 7, applicants respectfully note that REF 1 teaches creating a pictorial transcript, but it does not teach creating a pictorial transcript that is suitable for electronic searching and retrieval and REF 3 teaches creating a summary page (which is akin to creating the index page that is disclosed by applicant, and which is found in applicants' later claims), but the summary page does not have a layout that is *selectable* from a plurality of layouts.

While the above-discussed limitation is not in amended claim 1, amended claim 1 includes the added step of

> responding to a keyword search by said user, performed on said second information-bearing media component stored by said step of recording, where a pictorial transcript that is responsive to said keyword search is configured for presentation to said user in form of pages, at least some of which are interconnected by hypertext links.

This step not taught or suggested by either REF 1 or by REF 3 and, therefore, it is respectfully submitted that amended claim 1 is not obvious in light of the REF 1 and REF 3 combination. The same applies to all claims that depend on claim 1.

As for claim 7, applicants respectfully point out that the claim specifies that the information that is responsive to a user's query is configured to be presented to the user in pages, and in a "form selected by said user from a plurality of forms." As indicated above, nothing like that is taught or suggested by REF 1 or REF 3.

In connection with claim 9 the Examiner asserts that

> claim 9 recites the limitations similar in scope to those presented in the rejection of claim 1, without adding further limitations. As such, claim

9 is rejected with the same rationale because Sprague's thumbnails reduce the size of the pictorial transcript using "thumbnail video."

Although claim 9 is amended herein, for the record, applicants respectfully traverse.

In its unamended form, claim 9 included a first additional limitation, which specified that *the hypertext pictorial transcript of claim 1 has at least one standard page layout,* and a second additional limitation, which specified *that standard page layout including a subset of representative frames selected by at least one criterion that reduces bandwidth.* It is respectfully submitted that it was incorrect to characterize claim 9 as adding no "further limitations" to claim 1.

Amended claim 9 specifies that one of the forms that the user may select reduces the retrieval time of the responsive pictorial transcript, according to a selected criterion. This, too, is a limitation that is over and above the limitations present in claim 1, and this limitation is not taught or suggested by REF 1 or REF 3. Claims 10-17 depend on claim 9.

Claim 18 specifies that the hypertext pictorial transcript has a <u>user</u> customizable page layout. Applicants respectfully point out that the user, as defined in claim 1, is the entity (typically individual) that performs a query which results in the presented pictorial transcript.

To justify the rejection, the Examiner cited claim 18 of REF 3, but claim 18 defines a "method for navigating to, and viewing, key tops in a viewer document." More specifically, this method defines displaying of a list of key topics, and provides an ability by the user to select a key topic. There is simply no teaching or suggestion that the user has the ability to customize a page layout.

The Examiner also cited claim 22 of REF 3, but this claim specifies a data structures (defined in claim 21) "wherein said first second and third hyperlinks specify on which computer said first, second and third segments, respectively are located." This does not address pay layout at all; much less any ability by the user to customize a layout.

The Examiner also cited col. 21, lines 10-19 and col. 23, lines 45-50 of REF 3 for the proposition that the summary template can be changed. It is correct that the template that is used can be changed, but the layout customization that is performed based on the changing of the template is performed by the *author that processes the document before its storage*; not by the user as defined in claim 18.

Based on the above, it is respectfully submitted that claim 18 is not obvious in view of REF 1 and REF 3 combination.

Claim 11 was rejected under 35 USC 103 as being unpatentable over REF 1 in view of REF 3 and REF 2. Although claim 11, per se, is not amended herein, it should be noted that the current claim 11 is effectively amended per force of the amendments to claims 9, 8, 7, 5, from whence the claim depends.

Applicants respectfully traverse the rejection, at least based on the fact that claim 11 depends on claim 9, which is demonstrated above to be patentable over the combination of REF 1 and REF 3.

It should be also noted that the actual limitation introduced by claim 11 has not changed, and that limitation specifies that substantially redundant representative frames are replaced with hypertext anchors. That is, according to claim 1, data representing a condensed version of a video program is received, which data comprises segments where each segment is characterized by (among other things) a representative frame. Claim 11 specifies that those frames – i.e., the representative frames - that are substantially redundant are replaced by hypertext anchors. The Examiner pointed to REF 2 passages that teach the notion of a user either getting the thumbnail image of the <u>first frame</u> of a motion video sequence, or getting a thumbnail version of <u>each</u> intracoded frame within the video sequence. Neither, however, teaches **replacement** of **substantially redundant frames** (i.e., frames that are representative of image segment) with anything. Therefore, it is respectfully submitted that claim 11 is not obvious in view of REF 1, REF 3 and REF 2 combination.

Claim 12 was rejected under 35 USC 103 as being unpatentable over REF 1 in view of REF 3 and Mauldin et al, US Patent 5,664,227 (hereinafter, REF 4). Applicants respectfully traverse.

First, it is noted that, like claim 11, claim 12 is effectively amended per force of the amendments to the claims on which claim 12 depends. Second, it is noted that the limitation expressed in claim 12 itself, to which the cited REF 4 is directed, has not been amended. Applicants respectfully traverse the rejection.

Claim 12 specifies that alternating ones of sequentially occurring representative frames are removed. The Examiner, however, cited a teaching in the reference where

non-representative frames are removed. Presumably, representative frames, in contrast to non-representative frames, are too important to be removed. In any event, non-representative frames are, of course, exactly the opposite of representative frames. Moreover, the non-representative frames that are removed are not specified to be "alternating ones." In short, there is nothing in the cited REF 4 that teaches or suggest that which claim 12 specifies. Indeed, the passage cited by the Examiner effectively teaches AWAY from applicants' claim. Respectfully, therefore, claim 12 is believed to be not obvious in light of the REF 1, REF 3 and REF 4 combination.

Claims 13 and 14 were rejected under 35 USC 103 as being unpatentable over REF 1 in view of REF 3 and further in view of Hunt et al, US Patent 5,764,235 (hereinafter, REF 5). Applicants respectfully traverse.

Claims 13 and 14 specify that representative frames that are below (claim 13) or above (claim 14) a predetermined size are removed. The Examiner quoted from col. 5, lines 49-50, col. 11, lines 40-42, and col. 11 lines 59-64 of REF 5 and, according to applicants' understanding, the quoted passages teach that an image file is sent to a user and that this file – as a whole – is controlled, as to its size, in accord with the user's specification. That, however, is not the same as (a) **removing (b) representative** frames based on a predetermined criterion, as claims 13 and 14 specify. It is respectfully submitted, therefore, that claims 13 and 14 are not obvious in view of the REF 1, REF 3, and REF 5 combination of references.

Claim 15 was rejected under 35 USC 103 as being unpatentable over REF 1 in view of REF 3 and in view of Shahraray article titled "Scene Change Detection and Content-Based Sampling of Video Sequences," 1995, SPIE 2419, pp. 2-13 (hereafter, REF 6). Applicants respectfully traverse.

Claim 15 specifies removal of representative frames that differ from other representative frames by lass than a prescribed amount. Applicants note that detecting shot (or scene) boundaries is wholly unrelated to what a frame that represents a shot (or scene) shows. That is, one can have two wholly different scenes, with a proper detection of shot boundaries, and the representative frames of the two scenes can be extremely different, or extremely similar. In contradistinction, the teachings of REF 6 that the Examiner pointed to pertain to a technique for detecting shot boundaries. Applicants also

note that detecting shot (or scene) boundaries does not teach or suggest removing anything. Hence, the notion of detecting shot boundaries does not teach or suggest (a) **removing** (b) **representative** frames at all, regardless of reason; and (c) it certainly does not teach or suggest removing representative frames (i.e., wherever they occur in the transcript) that differ from other representative frames by less than a prescribed amount. It is respectfully submitted, therefore, that claim 15 is not obvious in view of the REF 1, REF 3, and REF 6 combination.

Claim 17 was rejected under 35 USC 103 as being unpatentable over REF 1 in view of REF 3 and further in view of Iggulden et al, US Patent 5,692,093 (hereinafter, REF 7). Applicants respectfully traverse.

The Examiner pointed to the teachings REF 7 to the effect that contiguous groups of segments that are classified as commercial messages will be scanned past during playback. Respectfully, scanning past presented information is different from removing representative frames, which enhances operation by reducing volume of information that needs to be transmitted and, hence, reduces the retrieval time. Therefore, it is respectfully submitted that claim 17 is not obvious in view of the combination of REF 1, REF 3 and REF 7.

I light of the above amendments and remarks, it is respectfully submitted that all of the Examiner's objections and rejections have been overcome. Reconsideration and allowance are respectfully solicited.

Dated: 7/10/09

Respectfully,
David Crawford Gibbon
Behzad Shahraray

By _____
Henry T. Brendzel
Reg. No. 26,844
Phone (973) 467-2025
Fax (973) 467-6589
email brendzel@comcast.net

11